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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/750,762

01/02/2001

Milleret Herve

201067US2

8664

7590

07/13/2004

Oblon, Spavik, McClellan, Maier & Nuestadt
4th Floor
1755 Jefferson Davis Highway
Arlington, VA 22202

EXAMINER

CHANG, EDITH M

ART UNIT

PAPER NUMBER

2634

6

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,762

Applicant(s)

HERVE, MILLERET

Examiner

Edith M Chang

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 6-9 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 2-5 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words.

Combine the lines 12-15 to lines 1-11 as one paragraph or delete lines 12-15 of the abstract.

Claim Objections

2. Claim 2 is objected to because of the following informalities:

Claim 2, the term “the same logarithmic amplifier” lacks antecedence. It is suggested changing to “one logarithmic amplifier”.

Claim 3, line 23 page 10, the term “said filtering step” is suggested changing to “the filtering step”;

lines 24-25, the term “said amplification step” is suggested changing to “the amplification step”

3. Claims 5 and 10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot dependent from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Appropriate corrections are required.

Allowable Subject Matter

4. Claims 1, 6-9 are allowed.
5. Claims 2-3 are objected to informality, but would be allowable if rewritten to overcome the objections.
6. Claim 4 is objected as being dependent upon objected base claims, but would be allowable if the objected base claims overcome the objections.
7. The following is a statement of reasons for the indication of allowable subject matter:

Claim 1 is allowable over prior art of record because the prior art of record does not teach or suggest, alone or in a combination, among other things, at least a method as a whole, the combination of elements and features as claimed, which includes mixing the part of the radiofrequency signal with itself to generate a voltage signal with at least a DC component.

Claim 6 is over prior art of record because the prior art of record does not teach or suggest, alone or in a combination, among other things, at least a device as a whole, the combination of elements and features as claimed, which includes a mixer to mix the part of the radiofrequency signal transmitted by the transmitting station with itself to generate a voltage signal with at least a DC component.

Claims 7-9 are allowable as dependent claims of allowable claim 6.

Conclusion

8. This application is in condition for allowance except for the following formal matters:

As listed in the paragraphs 1 and 2.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edith M Chang whose telephone number is 703-305-3416. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edith Chang
June 28, 2004


CHIEH M. FAN
PRIMARY EXAMINER